

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kevin Bastian on May 20, 2009.

The application has been amended as follows:

Claim 30 (currently amended). A recombinant DNA vector comprising a promoter operably linked to a heterologous truncated NHX1 polynucleotide sequence which consists of a coding sequence encoding a C-terminally truncated NHX1 polypeptide which has at least 95% [90%] sequence identity to SEQ ID NO:2 [and is less than 530 amino acids in length], wherein said truncated NHX1 polypeptide has 17 to 84 C-terminal acids deleted, and wherein the truncated NHX1 polypeptide confers increased Na<sup>+</sup> tolerance in a plant compared to a plant into which the truncated NHX1 polynucleotide was not introduced.

Claim 36 (currently amended). A purified truncated NHX1 polynucleotide encoding a C-terminally truncated NHX1 polypeptide which has at least 95% [90%] sequence identity to SEQ ID NO:2 [and is less than 530 amino acids in length], wherein said truncated NHX1 polypeptide has 17 to 84 C-terminal acids deleted, and wherein the truncated NHX1 polypeptide confers increased Na<sup>+</sup> tolerance in a plant compared to a plant into which the truncated NHX1 polynucleotide was not introduced.

Art Unit: 1638

The above amendments were made to obviate 35 USC 112, first paragraph rejections of record. Claims 30-39 are allowed.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong T. Bui whose telephone number is 571-272-0793.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached on 571-272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phuong T. Bui/  
Primary Examiner, Art Unit 1638

5/21/09